

REMARKS

Initially, the Applicants graciously thank Examiner Poinvil in granting the telephonic Interview on December 6, 2007, and for his time and attention with Malvern Griffin and Brian Decker during the Interview.

Claims 1-25 are pending in this Application. Claims 1-3, 6-11, 13, 19-20 have been amended by this Amendment and Response. Claims 21-25 have been added by this Response. No claims have been cancelled by this Amendment and Response. In light of the amendments listed above and the remarks provided below, the Applicants respectfully assert that no new matter has been added, that the Applicants have fully responded to the last Office Action, and that the present Application is now in condition for allowance. The Applicants respectfully request the Examiner's consideration of this Amendment and Response, and an allowance of the Application.

Rejections under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected Claims 1-20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,884,288 to Chang et al. ("*Chang*"). The Applicants respectfully state that Claims 1-25 are not anticipated or rendered obvious by *Chang*, because *Chang* fails to disclose, teach, or suggest each limitation of the claims.

Chang is generally directed toward a system for providing automated electronic bill processing capabilities, including an electronic payment system. (*Chang*, Abstract). *Chang* describes a bill payment system where, after receiving a payment authorization from the payor, the payor's bank generates one or more electronic checks which are transmitted to the payee. (*Chang*, col. 7, lines 19-34). After receiving the electronic check from the payor's bank, the payee processes each electronic check and updates its accounting records accordingly. (*Chang*, col. 7, lines 35-38).

First, at the Examiner's request, the Applicants have amended Claims 1-3, 6-11, 13, 19-20 to further indicate the parties acting or being acted upon, for example, the payment service provider, and to further describe the term 'pre-posting information.' Notwithstanding these

amendments, the Applicants respectfully assert that *Chang* fails to disclose each limitation of the claims, as originally presented or as amended hereby.

Independent Claim 1 of the present Application, as amended, recites, among others, the steps of: “determining, by the payment service provider, pre-posting information based at least in part on the payment request;” “transmitting, by the payment service provider, to the payee the pre-posting information, whereby the pre-posting information provides the payee information about the payment request prior to the payment service provider directing the payment to the payee;” “directing, by the payment service provider, the payment to the payee on behalf of the payor subsequent to the transmission of the pre-posting information;” and “issuing, by the payment service provider, remittance advice to the payee in association with the direction of the payment.”

The Applicants respectfully assert that *Chang* fails to teach or suggest determining and transmitting pre-posting information by the service provider prior to directing payment to the payee, as recited in Claim 1. More specifically, the Applicants submit that *Chang* does not teach or suggest the step of “determining, by the payment service provider, pre-posting information based at least in part on the payment request.” Furthermore, the Applicants state that no reference of record teaches or suggests any communication between a service provider and a payee after receiving a payment request from the payee and before directing a payment to the payee, much less transmitting information based at least in part on the payment request prior to directing payment to the payee.

Therefore, because *Chang* does not teach determining pre-posting information, it necessarily follows that *Chang* also does not teach or suggest the step of “transmitting, by the payment service provider, to the payee the pre-posting information.” Similarly, *Chang* necessarily does not teach or suggest the step of “directing, by the payment service provider, the payment to the payee on behalf of the payor subsequent to the transmission of the pre-posting information” because *Chang* does not teach pre-posting information. Additionally, the Applicants respectfully state that pre-posting information, being transmitted prior to directing payment, is therefore different than the step of “issuing, by the payment service provider,

remittance advice to the payee,” which is “in association with the direction of the payment,” and thus not taught or suggested in *Chang*.

Accordingly, the Applicants respectfully state that *Chang* fails to disclose, teach, or suggest each of the limitations of independent Claim 1, and therefore does not anticipate under 35 U.S.C. § 102(b).

Independent Claim 11 is a system analog of the independent method Claim 1, and is therefore patentable over *Chang* for at least the same reasons discussed above.

Furthermore, the Applicants respectfully assert that dependent Claims 2-10 and 12-22 are patentable as a matter of law, depending from an allowable claim, notwithstanding their independent recitation of patentable features.

New Claims Allowable Over References of Record

By this Amendment and Response, the Applicants have added new dependent Claims 21-22 and new independent Claims 23-25. The Applicants state that no new matter is added by these new claims, that support can be found in the Specification, and that these claims are patentable over the references of record.

Dependent Claims 21 and 22 further describe the pre-posting information that is recited in the respective independent Claims 1 and 11, and are patentable as a matter of law, depending from an allowable claim, notwithstanding their independent recitation of patentable features.

Independent Claim 23 recites, among others, the steps of “receiving, by the payment service provider from the payor, subsequent to the transmission of the pre-posting information, a payment request change directive to cancel the received payment request;” and “transmitting, by the payment service provider to the payee, information associated with the payment request change directive that notifies the payee of the cancelled payment.” The features of receiving a payment change request and subsequently notifying the payee of a cancellation, after already notifying them of the payment by way of the pre-posting information, were previously recited in dependent Claim 10, but have been instead included as an independent claim in Claim 23. The

Applicants respectfully state that, as discussed above with regards to Claims 1 and 11, the references of record do not teach or suggest the transmission of pre-posting information. Furthermore, the Applicants submit that none of the references of record teach or suggest transmitting, from a payment service provider to a payee, information notifying the payee of a cancelled payment, as recited in Claim 23, because in prior art systems the payee would have been unaware of a cancelled payment request prior to or in lieu of receiving remittance advice, without having the benefit of the pre-posting information as is uniquely provided by the present Application. Independent Claim 24 recites the system analog of Claim 23, and therefore includes features not taught or suggested in the references of record for at least the same reasons. Accordingly, the Applicants respectfully submit that Claims 23 and 24 are patentable over the references of record for at least these reasons.

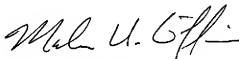
Independent Claim 25 recites, in means-plus-function language, features analogous to those recited in independent Claims 1 or 11. Accordingly, the Applicants respectfully submit that independent Claim 25 is patentable over the references of record for at least the same reasons as discussed above with regards to Claims 1 and 11.

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Amendment and Response

CONCLUSION

Reconsideration of the present Application is requested in light of the amended claims and the remarks. The Applicants believe they have responded to each matter raised by the Examiner. Allowance of the claims is respectfully solicited. It is not believed that any extensions of time or additional fees are required beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

Respectfully submitted,



Malvern U. Griffin III
Reg. No. 38,899

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SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
Telephone: (404) 853-8233
Facsimile: (404) 853-8806

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